

June 8 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

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Countrywide Home Loans, Inc.

FILED

JUN - 7 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

GARY HOFF,

Plaintiff/Appellee,

-vs-

LAKE COUNTY ABSTRACT & TITLE)
COMPANY, a corporation;)
COUNTRYWIDE HOME LOANS, INC.,)
a corporation; DOES I through X)
inclusive, individuals, corporations and)
partnerships,)

Defendants/Appellant.

Case No. DA-10-0238

RESPONSE TO MOTION TO
DISMISS DEFENDANT'S
APPEAL OR
ALTERNATIVELY TO
STRIKE FILING OF NOTICE
OF APPEAL

COMES NOW Defendant Countrywide Home Loans, Inc., by and through
counsel, and responds to Plaintiff's Motion to Dismiss Defendant's Appeal or
alternatively to Strike Filing of Notice of appeal.

Plaintiff argues the Defendant's motion for appeal should be dismissed because the District Court has not yet rendered a final judgment. The Defendant concurs there is no appealable final order yet in this case. However, pursuant to M. R. App. P. 4(5)(a)(ii), the Defendant requests that the notice of appeal be held by the Montana Supreme Court until a written final judgment has been rendered by the District Court and file the Motion to Appeal as of that date.

DATED this 4th day of June, 2010.

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By: _____


Christian T. Nygren

CERTIFICATE OF SERVICE

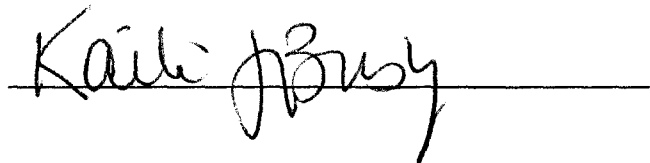
The undersigned certifies that the foregoing document was served upon the following individuals by the means designated below this 4th day of June, 2010:

☒ U.S. Mail
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